

CHAPTER NO. 206

HOUSE BILL NO. 836

By Representatives Armstrong, Marrero

Substituted for: Senate Bill No. 353

By Senator Ford

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 11, Part 2, relative to establishment of a Trauma Registry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new and appropriately numbered section:

68-11-259.

(a) The board for licensing health care facilities shall establish and maintain a central registry of persons who are treated for trauma at designated trauma centers or comprehensive regional pediatric centers (CRPCs). To further the purpose of this section, the board has the authority to collect injury incidence information, including medical records and patient-identifying information, from designated trauma centers and CRPCs, analyze the information, and conduct special studies regarding the causes and consequences of traumatic injury. The board also has the authority to promulgate rules and regulations in accordance with the provisions of title 4, chapter 5 to administer the registry and its activities, which regulations may require the reporting trauma centers and CRPCs to use a particular form approved by the board, and which regulations may prescribe penalties to be imposed for failure to abide by reporting requirements.

(b) A hospital holding a trauma center or CRPC designation shall as a condition of continuing such designation complete and submit the reports required by this section.

(c) No information contained in the trauma registry that reasonably could be expected to reveal the identity of any patient may be made available to the public, and no information contained in the trauma registry that reasonably could be expected to disclose the identity or identities of specific reporting facilities may be made available to the public. The information submitted to the board for licensing health care facilities pursuant to this section shall be used solely for the purpose of analyzing causes and medical consequences of serious trauma and promoting the continuum of care that provides timely and appropriate delivery of emergency medical treatment for people with acute traumatic injury. Provided, however, that the specific information required by this section that pertains to health care professionals licensed under Title 63 or Title 68 or health care facilities licensed under Title 68 shall be confidential, shall not be subject to public inspection, and shall not be used to initiate disciplinary complaints nor be admissible in any administrative proceeding for licensure discipline. The board shall prescribe conditions under which the processed and verified data can be made available to the public.

(d) No person or entity may be held liable in any civil action with respect to any report or disclosure of information made under this section unless such person or entity has knowledge of any falsity of the information reported or disclosed.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 5, 2005



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 23rd day of May 2005



PHIL BREDESEN, GOVERNOR